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**MAY 11 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Kane et al. :  
Application No. 09/902,144 :  
Filed: July 10, 2001 :  
Title: Methods, Functional Data, and Systems for :  
Optimizing Product Factors :

ON PETITION

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed April 24, 2006.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application was held abandoned January 25, 2006 for failure to timely reply to the final Office Action mailed on October 24, 2005. The final Office Action set a three (3) month extendable time period for reply. A Notice of Abandonment was mailed April 5, 2006.

Petitioner asserts that a reply to the final Office Action provided a three month extendable period of reply. Thus the maximum extendable time period did not expire until April 25, 2006. On petition, petitioner has submitted a timely request for three month extension of time and appropriate fee, an amendment and a Notice of Appeal.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

The application file is being forwarded to the Technology Center 3600 for further processing of the amendment submitted on April 24, 2006.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant  
Petitions Attorney  
Office of Petitions